Transgender rights: These countries are ahead of the US

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Transgender identity, in their words

STORY HIGHLIGHTS

India's high court granted transgender people the right to self-identify their gender in 2014

Denmark allows transgender people to self-determine identity without medical intervention

(CNN) — As transgender people fight for their basic civil liberties globally, 20 countries have passed some form of legislation recognizing their rights, according to the Global Commission on HIV and the Law.

Here's a snapshot of how some legislators and courts around the world have grappled with the issue of gender identity and inclusion.

Denmark follows Argentina's lead

When it comes to taking a progressive approach toward gender recognition reform, Argentina and Denmark top the list, according to Transgender Europe.

In 2012, Argentina's Senate unanimously approved the Gender Identity Law making sex-change surgery a legal right. The procedure is even included in both public and private health care plans.

Two years later, the Danish Parliament followed Argentina's lead and allowed legal gender recognition for transgender people over the age of 18, solely based on their self-determination – without any medical intervention. Denmark is the only European country that does not require any psychiatric diagnoses or any certificate by a medical professional, according to Transgender Europe.

"In fact, 34 countries in Europe still do not allow a trans person to change their name and registered gender without" surgery or some sort of medical procedure, said Transgender Europe.

Malta's transgender-inclusive policy

In 2015, Malta's government adopted the Gender Identity, Gender Expression,and Sex Characteristics Act.

The law is intended "[to provide] a simplified procedure which respects the privacy of the person requesting that one's official documents be changed to reflect the person's gender" and acknowledges that "gender identity is considered to be an inherent part of a person which may or may not need surgical or hormonal treatment or therapy" and "sex characteristics of a person vary in nature and all persons must be empowered to make their decisions affecting their own bodily integrity and physical autonomy."

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Advocates say the law pivots away from viewing gender identity as a pathology in need of a diagnosis. People “shall not be required to provide proof of a surgical procedure for total or partial genital reassignment, hormonal therapies or any other psychiatric, psychological or medical treatment,” the law states.

Iran’s ‘double-edged sword’

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In 1987, Iran’s religious leader, Ayatollah Khomeini, issued a fatwa (a legal decision handed down by a religious leader) allowing sexual reassignment surgery. While transgender people who have successfully undergone complete gender reassignment surgery are recognized by the government, “the law utterly fails” to recognize transgender people who do not undergo medical intervention, international human rights organization Outright Action International said.

While the government does allow for, and subsidize, gender reassignment surgery, critics of the government’s policy say it can be a double-edged sword for transgender people.

“The medicalization of gender identity has allowed for vital legal recognition and transition-related healthcare for some members of the trans community,” said Jessica Stern, OutRight Executive Director, in a press release. “At the same time, it has reinforced stigma. The current policy rests on the notion that trans individuals suffer from psychological disorders and require medical intervention in order to be entitled to full citizenship.”

India’s equal access

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In a landmark vote in 2014, India’s Supreme Court granted the country’s “hijra” or transgender people and those classified as third-gender the right to self-identify without sex reassignment surgery. Under the ruling transgender people are allowed equal access to education, health care and employment, and protection from discrimination.

Social stigma and dangers persist

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Although transgender people are increasingly gaining legislative protections, laws can't always protect them from the social stigma and the risks they face.

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The human rights advocacy group Transgender Europe documented 2,264 reported killings of trans and gender-diverse people worldwide between January 1, 2008 and September 30, 2016.

In 2016, GLAAD reported the deaths of 27 transgender people in the United States – the deadliest year on record.

In the United States, the national debate on protections for transgender students in public schools continues to heat up as the Supreme Court prepares to hear the case of Gavin Grimm, a 17-year-old transgender student from Virginia who wants to use the bathroom that corresponds with his gender identity. And civil rights groups worry about the consequences of the Trump administration's recent reversal on Obama-era bathroom protections for transgender students.

CNN's Harmeet Shah Singh contributed to this report.

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